

REMARKS

Claim 29 has been amended to clarify the language and the dependency from claim 28; as such the amendment introduces no new matter and Applicants respectfully request its entry.

Applicants respectfully thank Examiner Portner for granting a telephone interview with the undersigned on May 5, 1999.

The suggestion in Paragraph 1 of the Office Action that the reply filed March 1, 1999 is not fully responsive to the previous Office Action is respectfully traversed. It is true that claim 28 was generic. It is true that claim 29 specified a further limitation of the subject matter claimed in claim 28. *See* 35 U.S.C. § 112, 4th paragraph. Applicants, however, have a right to amend a generic claim to add limitations that reduce the breadth of the claim. Such an amendment does not make the reply non-responsive. Applicants acknowledge the right of the Office to require an election of species in appropriate circumstances, but the addition of claims drawn to species falling within the scope of the original generic claim, where no restriction requirement is outstanding, does not make the reply non-responsive. Reconsideration and withdrawal of this objection is requested.

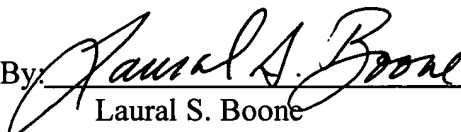
In a restriction requirement dated April 4, 1999, the Examiner required election of species under 35 U.S.C. § 121 between the claims of Group I (claims 28 through 32, which are free of other antibodies specific for EHEC), Group II (claims 28 through 32 as amended), and Group III (antibodies which are cross-reactive with both EPEC and EHEC). Applicants provisionally elect to prosecute Group II, claims 28-32 as amended, with traverse. This election is made without prejudice or disclaimer of non-elected claims, and Applicants reserve the right to pursue such claims at a later date.

Applicants hereby incorporate in their entirety the arguments and claim amendments made in the Amendment filed March 1, 1999. It is believed that these amendments clarify the distinction between the instant invention and the recited art. Applicants respectfully request the reconsideration of this application and timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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